Mr. John Hartingh
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Rt. 12, Frederick, Md. 21701
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Dear John,

I am so angry, so shocked I hardly know how to write you.

I've been so tired I've been falling asleep sitting up. I've just returned from a tiring trip I could ill afford. it was made necessary only because of FBI dirty tricks, impositions on me. I cleaned up most of the accumulation of mail, too time to write you a letter addressing problems I think can be worked out amicably, had someone who was here mail it when he left because this is a weekend and I want to eliminate problems rapidly - I've even asked Jim to ask for a delay in the scheduled state call to ease the pressure on you and the Bureau - and then I came to grable again in Section 72.

I came to Serial 5314 and I stopped. I will not now or ever again look at a single record from him. he is totally, completely unsuited for this kind of work. He may be the most loving of husbands, the most devoted of father and the most perfect of agents in tracking down the most dangerous of felons but he will never be able to handle FOIA work.

In5314, which is far from all I can address in this section's first dozen pages, he has actually withheld the name of one quoted by name in the ~~xxxxx~~ magazine that had the world's largest circulation. Look printed more than Life, if you did not know it. And claimed the privacy exemption plus 2. On review it was not written back in. If there was a review.

Not that the amount of time required for what was written back in over all these pages does not in itself constitute a kind of non-compliance through unnecessary delay.

This is so much too much!

In these few pages he has withheld the names of witnesses who were subpoenaed and who names are public; the name of the woman who laid Ray and whose name is public; the names of public officials when their names also have been published the names of those arrested and publicly charged in the Alton bank robbery (about which the Bureau leaked much it knew it was false just to hurt Ray); and all about Honebrake even when the record states it received extensive international publicity.

This after his supposed boss, the Attorney General, states that policy is to disclose all that can possibly be disclosed without serious hurt? There is NO possibility for any hurt in anything he withheld. He was supported in withholding the names of agents whose jobs were public, liaison. While those names are of no interest to me thins kind of abuse of the Act and of me simply must end.

I'm getting old, I am tired, I'm not in good health, and I have no intention of putting up with a single more page of this without some meaningful, dated assurances from you. I will take your word. I do not want hassles. But believe me if I have to crawl into the AG's office with this or roll into the courtroom, this is going to stop. Period. I wrote about this long beforex our discussion of these problems. I then was given no indication of this utter irrationality.

How many of these pages would you want to have to reread? These are senseless.

What kind of supervision does this represent? What kind of Departmental review?

What kind of arrogance is this with a case in court and in the face of all the judge has said?

From last September on I think I've leaned over backward, very far backward, to get this over with and to avoid all I could possibly avoid, to have no stinks, just to get a reasonable amount of compliance. This is what I get in return, and after all those

letters and all the time they represent? In my shape and all I want to do and can't get to?

Right now this makes me feel particularly unclean because I used a coast-to-coast prime-time TV appearance I had turned down twice to defend the Bureau from indecent accusations against it. Because of the pressures I was under I phoned Jim, as he will tell you. He decided me to go to New York, for all the effort it was for me to go to Dallas, and not to complete that for which I went there just to use this opportunity to inject a semblance of rationality into all of this insane business.

To come back exhausted and to this?

No, friend, and as Poe's raven said, never more. This is that much too much.

(If you have been given the UPI story of the 11th it is not what I said or believed, was corrected by one Dallas paper and I've asked UPI to note a correction for the record. The actuality is that I said what did happen, that the dogs would get Ray. I violate no confidence when I tell you I told him this in 1971 or 1972, when he made an unsuccessful effort. I know that country from the 1930s, when I was there for the Department and with the Bureau.)

I just don't know what I can do that I have not done to try to be helpful, to try to give you people time to work out your problems. But they grow worse, not less. Despite all I've done to alert all of you.

To the degree I can I avoid personal attention. It means nothing to me and I don't have time enough for what does have meaning to me. I turned CBS down, as Jim can tell you and my files will show. I turned ABC down twice last week, as Jim and others know. But this can change. I did not have to defend the Bureau against outrageous charges. I could have said I had no personal knowledge. But this, too, can change.

What IS going to change is what is represented by the Goble atrocities in Section 72. On this I am not going to compromise as I have through all these months because I do recognize how foreign all this is to the training and indoctrination of agents. I am stating terms. If they are not met, which means that I have your word they will be met - and I will not take John Hogan's - I'll see you in court on the 30th.

I did agree that I would await completion of delivery of the rest of the HQ Muskin file before there was a review and rectification of the unjustifiable withholding. You still have my word on this. I did not agree to the outrages I find in Section 72, which is subsequent to that meeting. What I did agree to is that the volume be reduced to eliminate anything like this.

There is a calendar call scheduled for the 30th, the one I told you I suggested to Jim he have delayed to make things easier for you. By a cabron of this if we do not consult before he receives it I am telling Jim not to ask for this until he hears from you. I will accept your verbal word. It need not be in writing. I want an immediate replacement of all of Goble's work beginning with Section 72, which I've laid aside and will waste no more time on now. I want this by someone who is not processing any of my requests. (Remember, this one is now more than eight years overdue. So don't bull me with any backlog claims or pleas. Besides, you people have done this to yourselves.) I will want your personal word on this not later than 6/24 so I can prepare if I do not have it. I will want an assurance that by 10 days after you learn of this I will have a non-Goble replacement of Section 72 and any other Sections he has processed. I am not going to waste any more time going over any of his work henceforth. If I find the same situation in any Section processed by anyone else

I'll have the same expectation. If this happens before someone is here who can mail this I'll enclose it. It will be my expectation that from this moment on all decisions to withhold will be in accord with the Attorney General's recent statement of policy, not to comfort the ghost of a departed one.

(You are in no way responsible for it and the Bureau is not involved but since we last met I've actually had another part of the Department withhold Lee Harvey Oswald's serial number - after what is supposed to be his entire military record was released by the marines and printed in facsimile by the Warren Commission. Man it is coming out of the roots of my hair!)

It appearsthat you and others in the Department, not just the Bureau, either do not want to believe that all I want is compliance or believe that endlessly I will accept non-compliance.

There is nothing I can do about what is in the official mind.

I would like to avoid any unnecessary fights, any scandals, any moves for punishment under the amended Act, a question I have already asked Jim to have in mind. I want no publicity or I'd have had it. I want no more than to do the work I have undertaken without unreasonable official interference in it. What I am complaining about is, after some 20,000 pages, a shameful official interference. Unprincipled, unjustifiable, indefensible.

Here, more after all my patient efforts, I do draw the line.

Not without knowing the Bureau's power or its disposition to use and misuse that power. I went through that beginning when I was a kid and two agents restrained me in an office to get me to sign a confession to a crime I did not commit. They finally backed off, not I. When the Bureau and the Department persisted for political reason I took the grand jury away from them. This is one of the reasons when I wrote you earlier today I said I want all relevenat records available simultaneously, not the Bureau distortion that pretends there was nothing earlier. Why do you suppose the Bureau said it had no files on me?

In New Orleans I went alone and unarmed when my friends (for real) in the police did not want to go and the Assistant DAs would not go unarmed. (This is really an understatement.) I live in a woods without even a watchdog because I cherish the wild animals they would drive away. I have gone through with scheduled TV appearances after bomb threats that drove prominent public officials away, doing their stint and mine. If I was not afraid of great power before what kills people and can kill me do you think I am now?

I do not delude myself about what I can do. I suggest that you and yours not delude themselves about what I am willing to try to do. I want only compliance with the law, no more. I also will now accept no less. I want and seek no fuss, no attention, just what the law says is mine so I may do the work I have undertaken. I believe there is a fair chance the courts will give it to me. If not then the Bureau might want to consider that when I had to be hospitalized the staff director of a Congressional committee with FOIA jurisdiction asked to take me to the hospital. Maybe today this means nothing, But if I have to learn I'll make the effort.

What I am trying to tell your people through you is that I have had it. I will accept no more of this wretchedness. If I have to abandon what I want to do to try to end it that if reluctantly I will do. I believe the terms I have stipulated are reasonable, after an incredible history of all these years more than reasonable. If I do not know how much time I have left I'm damned if I'm going to spend it as with what I think is some patience I have been in this case.

If the Bureau stops all this dirty business for which there never was an excuse I'll go my way quietly, as I have been quiet, and do what work I can do. If it does not I am prepared for whatever may be required. Nothing personal. I regard you as the best I have met in these FOIA cases. Whether or not you have been able to supervise, I have been forced to decide that I'll go this far in attempting to accomdate, no farthur. Sincerely, H. Weisberg

PS to John Hartingh, 6/19/77

Last night I got hold of Jim by phone. We had a long talk, not that I can afford it.

He is not going to ask the judge to delay the status call of the 30th, as I told you I'd suggested earlier out of consideration for the judge and the FBI.

He is in agreement that we face all the issues openly by raising them in court. We did not go into detail on them but I hope to find time.

Jim did ask me to retreat from my refusal to go over any more of those serials massacred by Goble so I will. He wants me henceforth to make copies of the horrible examples in which it has abounded and if there are any others in the two sections I have I'll do it.

I have gone over the sections done bu Higgins. If he is much better that is like saying losing an arm is better than losing a leg and a hand. Just as one example, despite all I've written, all the offers I've made, all the baloney you continue to hand out about using the available indexes, I find he has withheld what I published in ~~1972x~~ 1971 and earlier relating to Raul Esquival Sr., as the New Orleans phone book also does. So you can feel real proud of him and satisfied with yourself after our last conference on just this kind of stonewalling I'll enclosing copies of both.

Not that all this did not start with the Los Angeles Times, a very large paper with a very large news syndicate. As I state in the book.

Naturally ~~xxxxxxxx~~for your unregenerates with umbillical cords still attached to a ghost of the past this means privacy exemption.

Minor as this is, it is a classic example for the Attorney General, whose orders are as acts of supreme dedication ignored by all of you. I do propose to make a record on this. What the hell difference would ~~xxx~~ it have made it Higgins had not withheld the Esquivel address? (And what kind of investigators are you to have ignored Raul junior will all the talk of Raul and Ray and the absolute legitimacy of the source of this phone number, from Ray and in his own handwriting?) had a meeting set up with him and a lawyer, senior that is, for New Years 1971, with two different invitations to the Sugar Bowl game, with one from the homecoming-queen end, but lacked the money to get there.)

I believe I exploded over Goble's unjustifiable withholding of Claire Keathing's name. I always felt sorry for that poor woman, especially after the extensive international publicity she suffered from bedding with Ray. But this was all public, extensively public, so I grew angry because we have been over this kind of thing so many times. I did not get as angry as I should ~~x~~ have because you Sir Galahads, far from male chauvenist piggery as you are, only planned to have her hauled before the court in Memphis where she could testify to nothing except bedding with Ray. Oh how decent your concern for her privacy! The FBI didn't wait for the Memphis types to think of this, either. A curt bow and a swirl of Sir Walter's cape to you all!

The withholding of the publicly-known names of public officials never ends, even when they were subpoenaed as witnesses and when the guilty-plea hearing included a representation of what they would say had they been called to testify. With names, of course, so with the names public from the subpoenaes and the hearing naturally there is the privacy claim. Not that books, newspaper and magazine articles have not included these names since 1968.

There are so many cases! And nothing stops you (pl). I've gone to a lot of trouble when I do not have all that time left and I've put friends to much trouble to enable you and your people to be honest, to be in accord with the law. All my efforts have been rebuffed. I've offered my time on a name-for-name basis, I'd had friends make indexes, and from before you were on this case it has all been declined as unnecessary. Collectively in my opinion, one I am quite prepared to present to the judge, you have all found it unnecessary. The indexes on cards are to the books, to the evidentiary hearing and the guilty-plea hearing - and you are even now still withholding what is public in these well-publicized sources. It was unnecessary only because the FBI will not be in accord with

the law, with the common perjury of the past promising an immunity for the future.

If I would prefer to avoid all side issues and merely to allowed to do the work I want to do in the time I have to do it, you people give me no choice. You are determined to negate the law and abuse the judge and me, with the toll this also takes on Jim.

This being the case you'll have it your way, again the plural. I do not know what Jim or the judge will want to do but I will want a full airing. I've done some thinking since I got him late last night. My idea is that we ask the judge to have all of you in court with the recently contested records. Not all of them - not that I could not make quite a show out of most of the earlier ones. With a copy of your supposed boss' policy statement on FOIA. I'm getting older fast and I have less physical reserve and less dependable memory but you can pick your bet on how many of the withholdings I can fill in from what is public, even if you did claim that James Earl Ray had more than one father and I was wrong in stating who Jerry Raynes is.

In my non-lawyer's view the issue before the court is compliance. Now just suppose the judge dies what I want to ask of her, take testimony under oath on compliance, with you r antedeluvians qualified as experts by their roles alone. (To say nothing og the sanctimonious Quin Shea who has already sworn to reviewing all of this nastiness.) If perfection is not a human state I still assure you that without any fear at all I will testify under oath. Esquivel and poor abused Claire Keating are but the examples I give you here.

Whether or not the judge agrees, by a carbon of this letter Jim will know I want it. I see no way other than by forcing the issues so that the judges will not be as abused as I have been for so long, no other way your people will stop fighting the law and the right of the people to know what their government does. Which may not mean as much to you as it does to me.

Let me give you a few minor illustrations. Going back to Smith, whose behavior in the presence of a colleague whose name I have not forgotten was so bad he was yanked immediately, and then with Tom Keenan, with Jim as a witness, I have offered countless means of avoiding these problems. It is recorded in letters I wrote not to be able to use them but to obtain compliance with minimum hassle. I did have indexes made of the unindexed. Like the evidentiary hearings that lasted two weeks. Jim has them, if they are mine, because he was then and still is also my's lawyer.(The sixth circuit would not release him and Ray would not fire him.) I did have the guilty-plea hearing indexed by a friend who did it nights, after work. A Bureau agent can pick it up for a receipt at any time. Now with the catalogue of horrors I can tick off, what will any of you tell the judge? If you want more than I gave you in the past, showed you on the 7th and now tell you about with Keating and Esquivel, ask. I know you will not.

How many plaintiffs offer this kind of help while taking not a single step in court?

I also have other and strong personal feelings about this. Your people tried to make me out a liar in court when I swore than this is as old an FOIA request as it really is. All I then did was testify truthfully. Since then I have other proof, of exactly what the thrust of my testimony was. The Bureau reached a formal decision to violate the law and ignore my FOIA request, which was a violation of the law, and then sent its helmeted counsel into court to pretend none of this happened and that I am some kind of nut. Remember, the Bureau is not the only respondent in this matter. If the Bureau thinks I am bluffing calling my bluff is simple and easy.

Why do I take this time? For what the Bureau appears unwilling to believe, to avoid what with any concept of decency on its part it should want to avoid. I merely want it to comply with the law, with its promises, with what the judge has said. It is, I suppose, what should be a last effort of this kind. It will take less of me to give every issue to a judge, much as I think htere is more important demand on their time than pretending the FBI is not a rogue elephant. Maybe you can't swing the Bureau but I think I am entitled to

the meaningful supervision you are supposed to be providing and I think the judge was assured.

I have complained about rotten xeroxing- what a tribute this to the famed FBI! - and you replaced I think three sections. Well, I complained about the worksheets on which you supposedly (not not actually - and you can call me on this too) list what I get and what you withhold and why. I've complained that when you begin with the originals of your analysts I still get what I cannot read, with the bad xeroxing I do not any longer believe is accidental compounding this.

There is no excuse for the abominable xeroxing, commonly deliberate over-exposure, in what was given to Jim on the 10th. Or on the worksheets. I do not yet have what you gave Jim the 17th. I am asking for the total replacement of all the sections of the 10th and all the related worksheets. Whether or not the costs are remitted I am paying what it is hard for me to pay and I think it is not unreasonable to expect to be able to read what I pay for. I want this assurance, if from you I will accept verbally and to Jim, by the 24th. (Some of the more grossly overexposed related to the Paul bit.) Now if you want to tell the judge that the FBI can't operate xerox machines or can't call those who guarantee to adjust them promptly, get ready to tell her. I am ready to put all of this material in front of her. I am also asking Jim to seek some kind of order to assure me that you do not again, even, give me copies from wrongly-adjusted machines. My vision is not good and I have a cataract on my better eye, so if without this my complaint is not legitimate, as I think it is, I am telling you that the next bad batch I get is going to be on the judge's desk or yours. If you people can't run xerox machines, what in the world are you good for? Don't tell me you have bad ones, either. The FBI has excellent Xerox 9200s and they collate up to 50 sets, feed automatically and at a rate of two per second. No more, John.

No more of my not being able to determine what exemption you are claiming and of not properly identifying a record. The top record in Serial 5612 is not identified or referred to in the worksheet. Only the teletype attached to it is. You provided four of five pages. I have no way of knowing what claim you are making for the withheld page or if it extends to the memo that is the beginning of this record. For the record I challenge the withholding of the three paragraphs of the second page. In context the reasonable suspicious is that when you have to face the extravagent lengths to which the Bureau went to violate Ray's rights and to persist in ignoring his refusal to speak to the FBI it persisted and has something to hide, for which it contrives an exemption and complicates this as stated above. Hoover merely agreed that the FBI determine whether Ray agreed to be interviewed, as on many occasions he refused to be, including this one.

In any file of this size it becomes impossible to recapture improper withholdings. I think that I am within my rights in asking to know unequivocally with each record. If I am not I'll be content for the judge to so find. If you want me to produce records I have.

I do not spend time going over these records to list debating points, But when I thought of it with these, after the apparent mindset I encountered on the 7th, I made notes of some. I'm sorry all of you were incapable of even trying to understand that the people working on these things are clearly of a bent of mind which requires them to withhold first and find an excuse for it later. (Not the Bureau alone, alas.) Your boss has said no more. I want no more. When after that meeting I find what I have specified, which is much less than the actuality, how can I feel except that you are going to suppress come heell or high water? Of course I must contest this, particularly after all I've done to avoid it.

The Attorney General has stated that you are to release all you possibly can. The time is past when you can withhold all you think you can get away with. I will be forcing this issue. One of the reasons I want meaningful assurances by the 24th is that the house committee of FOIA jurisdiction is holding hearings. If I have to ask to be heard there it will be for the first time but I'll make the request. And if you want me to be putting case after case in the record you can arrange it easily enough.

HW 6/19/77